

Application Number 10/644,486
Responsive to Office Action mailed December 12, 2006

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REMARKS

This amendment is responsive to the Office Action dated December 12, 2006. Applicant has amended claims 17 and 31. Claims 1-36 are pending.

Claim Rejection Under 35 U.S.C. § 101

In the Office Action, the Examiner rejected claims 17-32 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicant respectfully traverses the rejection. The Examiner stated that claim 17 appears to be a computer program per se. Applicant has amended claims 17 and 31 to overcome this rejection and direct the claim to a tangible system having a practical result.

Claim Rejection Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 1-3 and 11-36 under 35 U.S.C. 103(a) as being unpatentable over VandenAvond et al. (US 2003/004949) in view of Altamura et al. ("Transforming Paper Documents into XML format with WISDOM++"). In the Office Action, the Examiner rejected claims 4-10 under 35 U.S.C. 103(a) as being unpatentable over VandenAvond et al. in view of Altamura et al. in further view of Guo et al. (US 2006/0104511).

Applicant respectfully traverses the rejection. The applied references fail to disclose or suggest the inventions defined by Applicant's claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

For example, with regards to independent claim 1, VandenAvond in view of Altamura fails to disclose or suggest, processing a graphic file to identify elements of a packaging layout, and generating information that associates the elements with types of data fields of a packaging template, as required by the claim. The language of claim 1 requires the generation of information that associates elements of a packaging layout with types of data fields of a packaging template.

With respect to these elements of claim 1, the Examiner cites to page 9, Fig. 5, P9-B3, in Altamura, as teaching the claim language. Properly understood, Altamura does not teach or disclose the claim. Altamura describes techniques of scanning a document and transforming the

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document into HTML/XML formats. The goal of the techniques used in Altamura is to render an HTML/XML document that is a copy of the scanned document. For example, Altamura states that: "It is also noteworthy that the DTD generated by WISDOM++ has no definition of elements, since our main goal is not to represent the layout structure explicitly, but to render the document **similar in appearance to the original document**." See Altamura, page 8 (emphasis added). The techniques described in Altamura scan the document using OCR technology; the tags from a training set are used to define the organization and layout of the scanned document. This is evidenced by, "Text extracted with the OCR is intermixed with tags that define its logical structure." See Altamura, page 9. Contrary to the Examiner's assertion, these teachings of Altamura in view of the other cited references do not, therefore, teach or suggest processing a graphic file to identify elements of a packaging layout, and generating information that associates the elements with types of data fields of a packaging template, as required by claim 1. To the contrary, Altamura uses XML tags to describe text plucked from the scanned document to describe the text in a manner that conforms with the organization and layout of that same document.

More specifically, Altamura makes clear that, after the document is scanned, it is qualified with a particular preprogrammed style sheet. See Fig. 4, page 8 which states, "WISDOM++ has associated the document with a style sheet specific for the class 'Transactions on Pattern Analysis and Recognition,' which has been recognized during the document classification step. In accordance with Altamura, once the style sheet class is recognized, text from the data is intermixed with the tags of the style sheet. "Once the DTD has been defined an instance of that document type can be generated and stored in an .xml file by respecting constraints defined by the set of rules in the DTD." See Altamura, page 9. The .xml file contains the text plucked from the scanned document, but does not have the same visualization as the original document. "Text extracted with the OCR is intermixed with tags that define its logical structure." See Altamura, page 9. To make the .xml document visually the same as the scanned document an XSL is used. "An XSL style sheet specifies the presentation of a class of XML documents by describing how an instance of the class is transformed into an XML document that uses the formatting vocabulary." See Altamura, page 9. In the end, the input paper document is output as a visually identical XML/HTML document.

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The steps in Altamura in view of VandenAvond fail to teach generating information that associates the elements with types of data fields of a packaging template. The tags described in Altamura are not data fields of a template; instead, they are intermixed with scanned text plucked format the scanned input document to describe the logical structure of the input document. As described above, the key evidence of this is, "Text extracted with the OCR is intermixed with tags that define its logical structure." Essentially, tags define the structure of the text within the scanned document, and define the sections of the text based on the logical structure of the input document.

This is not what is claimed. The teachings of Altamura never generate information that associates the elements with types of data fields of a packaging template. VandenAvond in view of Altamura does not teach, disclose, or suggest the claim language; therefore, applicant respectfully requests withdrawal of the rejection. Since the independent claim is in condition of allowance, Applicant respectfully request withdrawal of the rejection of the dependent claims.

Independent claim 17, 31, and 33 were rejected under the same rationale as independent claim 1. As claim 1 is in condition of allowance, applicant respectfully requests withdrawal of the rejections for claim 17, 31, and 33. Since the remaining claims are dependent upon the allowable claim 1, 17, 31, or 33, applicant respectfully requests withdrawal of the rejections to the dependent claims.

CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

By:

March 12, 2007

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